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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,903	01/03/2001	Ritsuko Isonuma	FUSA 18.185	2553
7590	07/02/2004		EXAMINER	
HELGOTT & KARAS, P.C. 60th Floor Empire State Building New York, NY 10118			LEE, ANDREW CHUNG CHEUN	
			ART UNIT	PAPER NUMBER
			2664	4
DATE MAILED: 07/02/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/753,903	ISONUMA ET AL.
	Examiner Andrew C Lee	Art Unit 2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 03 January 2001.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-10 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 9 and 10 is/are allowed.  
 6) Claim(s) 1-8 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

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## DETAILED ACTION

### *Drawings*

1. The drawings of Fig. 1B is objected to because the "STM ACCOMMDATING UNIT 400<sub>2</sub>" does not have any connection line assigned to connect to the other unit(s). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Fig 7C — the information disclosed in the table is not provided in the specification. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Fig.22 is described in the specification (page 10, lines 21-25), but the drawing of Fig.22 is not disclosed. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "STS Path Terminating Unit". A proposed drawing correction, corrected drawings, or

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amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "unrescuable failure discrimination unit", "non-rescue information storage means", "non-rescue information storage means", "discrimination-result insertion means", "ring-type storage means" and "channel decision unit" as disclosed in claims 1 to 8 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

6. The disclosure is objected to because of the following informalities:

- Page 1, lines 1 and 2, The Office recommends to delete "SPECIFICATION " on line 1 and "TITLE OF THE INVENTION" on line 2.
- Page 1, line 23, the Office suggests "51.84-Mbps" should be changed to "51.84 Mbps"
- Page 26, line 27, the Office requires the clarification the term "fourth" from the applicants.
- Page 34, line 3, the Office recommends the term "STS line terminating unit 113" should be changed to "STS path terminating unit 113" in consistent with the Drawings Fig. 1B as claimed.

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- Page 42, line 4, the Office suggests the term “O-48” should be corrected as “OC-48”
- Page 42, Fig. 5, the referenced number element “D15” in the Fig.5 (6/26 of the Drawings) needs clarification.
- Page 47, lines 1- 9, the description of Fig. 7C is missing.
- Page 55, line 21, the Office suggests the term “SGS-12” should change to “STS-12”.
- Page 56, line 13, the Office suggests “STS-12-signal” should be changed to “STS-12 signal”

Appropriate correction is required.

7. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 1 to 8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claimed subject matters, the “unrescuable failure discrimination unit”,

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"non-rescue information storage means", "non-rescue information storage means", "discrimination-result insertion means", "ring-type storage means" and "channel decision unit" are not enabling. The disclosure, especially in the drawings, fails to state or teach one of ordinary skill in the art the functions of these claimed subject matters to be implemented. The specified claimed matters are not disclosed clearly in the drawings and described clearly and concisely in the specification.

***Allowable Subject Matter***

10. Claims 9 and 10 are allowed.

Regarding claims 9, the limitations "for apparatus having an STS switch for cross connecting an STS signal which accommodates a plurality of virtual tributary signals (VT signals), and two VT switches to which an STS signal, which has been cross connected by the STS switch, is input upon being split into respective halves, wherein said VT switches replace VT pointers contained in the STS signal, VT-channel signals following the replacement of the VT pointers are passed between said VT switches and the VT signals are then cross connected, said apparatus comprising: timing adjustment unit for adjusting multiframe timing; a VT pointer replacement unit for replacing VT pointers using as a reference the multiframe timing that has been adjusted; means for passing VT-channel signals between said VT switches after replacement of the VT pointers; and a VT line switching unit for cross connecting the VT channel signals" recited in claim 9 are not disclosed or fairly suggested by the prior art record.

Regarding claim 10, claim 10 depends from claim 9. The limitation " wherein said timing adjustment unit, which is provided in one of said VT switches (a master switch), has (1) a multiframe timing generator for generating a multiframe timing pulse from a

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frame timing pulse, and (2) a timing pulse generator for generating a reference multiframe timing pulse of a prescribed width indicating a position one-half frame ahead of the multiframe timing; and said timing adjustment unit, which is provided in the other of said VT switches (a slave switch), has (1) a judgment circuit for sampling reference multiframe timing pulses at high speed and, if a sampled value of a pulse has the same level a plurality of times in succession, judging that the pulse is a true reference multiframe timing pulse, and (2) a multiframe timing generator for adopting, as a multiframe timing pulse, a frame timing pulse of the slave switch generated the first timing following detection of said reference multiframe timing pulse" recited in claim 10 are also not disclosed or fairly suggested by the prior art record.

***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C Lee whose telephone number is (703) 305-8086. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (703) 305-4366. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACL 21 June 2004

  
Ajit Patel  
Primary Examiner